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4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**  
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7 STEPHEN ZARATE,

8 Plaintiff(s),

9 v.

10 IVANA ARAMARK, et al.,

11 Defendant(s).

Case No. 2:22-cv-01449-APG-NJK

**ORDER**

[Docket No. 41]

12 Pending before the Court is Plaintiff's motion to proceed with his case against Joe  
13 Lombardo. Docket No. 41. It is not entirely clear what relief it is that Plaintiff is seeking. The  
14 Court has screened Plaintiff's complaint and found that it states a colorable claim against Joe  
15 Lombardo. *See* Docket No. 10; *see also* Docket No. 28 (substituting Joe Lombardo in place of  
16 Warden Doe). A summons has also been returned as executed. *See* Docket No. 35. Accordingly,  
17 Plaintiff must prosecute his case against Joe Lombardo. *See* Fed. R. Civ. P. 41(b). The motion to  
18 proceed is **DENIED** as unnecessary.

19 IT IS SO ORDERED.

20 Dated: July 1, 2024

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24 Nancy J. Koppe  
25 United States Magistrate Judge  
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